

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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ANNETTE CORTIGIANO, et al., on behalf of  
themselves and others similarly situated,

Plaintiffs

v.

ORDER  
04-CIV-4077(SMG)

OCEANVIEW MANOR HOME FOR ADULTS  
and JOSEPH RESENFELD, OPERATOR AND  
ADMINISTRATOR, OCEANVIEW MANOR  
HOME FOR ADULTS,

Defendants.  
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By stipulation dated July 3, 2007, docket entry 78, the parties consented to my exercising jurisdiction "for purposes of managing and administering settlement of the above-captioned action." I have now received a letter from counsel for plaintiffs dated September 25, 2007, docket entry 84, seeking an order entering the parties' settlement agreement and dismissing this case without prejudice to a motion to reopen prior to the expiration of the monitoring period of one year (subject to extensions under certain circumstances) set forth in the parties' Memorandum of Understanding. The terms of the settlement have been published, and no objections have been filed. Having presided over the mediation leading to the settlement agreement, and absent any objection by any class member to its terms, I hereby find that the settlement is fair, reasonable and adequate, see Fed. R. Civ. P. 23(e), and I order the settlement approved. This case is hereby dismissed without prejudice to a motion made by October 1, 2008, either to reopen the case or to extend the monitoring period and the time within which a motion to reopen may be made.

S0 ORDERED.

\_\_\_\_\_/s/\_\_\_\_\_  
STEVEN M. GOLD  
United States Magistrate Judge

Brooklyn, New York  
September 25, 2007